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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/617,607	07/17/2000	Scott Burton	SA9-99-002	5675

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EXAMINER

BLAIR, DOUGLAS B

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 02/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/617,607

Applicant(s)

BURTON ET AL.

Examiner

Douglas B Blair

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 17 July 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claim 19 is objected to because of the following informalities: it is believed that claim 19 was intended to depend on claim 15 and not claim 1. For examination purposes this will be assumed. Appropriate correction is required.

Information Disclosure Statement

2. The information disclosure statement filed 10/5/2000 fails to comply with 37 CFR 1.98(a)(1), which requires a list of all patents, publications, or other information submitted for consideration by the Office. It has been placed in the application file, but the information referred to therein has not been considered. The references are present however there is no 892 form accompanying them.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 2-3 and 5-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Claim 3 recites the limitation "said receiving step". There is no *step* of receiving referred to previously. There is insufficient antecedent basis for this limitation in the claim.

Art Unit: 2142

6. Claims 5 and 6 recite the limitation "said enabling step". There is no *step* of enabling referred to previously. There is insufficient antecedent basis for this limitation in the claim.

7. Claims 2 and 6 recites the limitation "said inhibiting step". There is no *step* of inhibiting referred to previously. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 1-4, 9-12 and 15-18 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Number 6,618,361 to Park.

10. As to claim 15, Park teaches a storage media including instructions for controlling a processor that, in turn, configures a computer network that includes a full duplex bi-directional first port and an initiator that can issue a request for said first port to assume a state (col. 3, lines 31-46), wherein said first port, when in a first state is able to bi-directionally communicate with a full duplex bi-directional second port, wherein said first port, when in a second state is coupled to itself by having an output thereof coupled to an input thereof (col. 3, lines 31-46), said storage media comprising: means for controlling

Art Unit: 2142

said processor to inhibit said initiator from issuing said request (col. 3, lines 47-56), means for controlling said processor to send data to said initiator describing a desired state of said first port (col. 3, lines 31-46), and means for controlling said processor to enable said initiator to issue said request for said first port to assume said desired state (col. 3, lines 31-46).

11. As to claim 16, Park teaches the storage media of claim 15, further comprising means for controlling said processor to receive data from said initiator describing an actual state of said first port (col. 3, lines 31-46).

12. As to claim 17, Park teaches the storage media of claim 16, further comprising means for controlling said processor to determine said desired state based on said actual state (col. 3, lines 31-56).

13. As to claim 18, Park teaches the storage media of claim 15, wherein said computer network includes a plurality of webs, and each of said plurality of webs includes a respective initiator and a respective full duplex bi-directional port (col. 3, lines 57-67 and col. 4, lines 1-7).

14. As to claims 1-4 and 9-12, they feature the same limitations as claims 15-18 and are rejected for the same reasons as claims 15-18.

Claim Rejections - 35 USC § 103

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2142

16. Claims 5-6, 8, 13-14, and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,618,361 to Park in view of the paper "SSA: A High Performance Interface for Unparelleled Connectivity" by Wilson.

17. As to claim 19, Park teaches the storage media of claim 15; however Park does not explicitly teach changing a number of webs in a network.

Wilson teaches a computer network in which a number of webs within the network can be changed (Section 1.3 Topologies).

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of Park regarding network configuration with the teachings of Wilson regarding a change the number of webs in a network because such changes allow for fault tolerance (Section 1. SSA Basics)

18. As to claim 20, Park teaches the storage media of claim 15; however Park does not explicitly teach enabling a set of initiators in a determined sequence.

Wilson teaches enabling a set of initiators in a determined sequence (section 2.3 adressng).

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of Park regarding network configuration with the teachings of Wilson regarding enabling a set of initiators in a determined sequence because such a setup allows for automatic configuration (section 1. SSA Basics).

19. As to claims 5-6 and 13-14, they feature the same limitations as claims 19 and 20 and are rejected for the same reasons as claims 19 and 20.

Art Unit: 2142

20. As to claim 8, Park teaches the method of claim 1, however Park does not explicitly teach a network that conforms to ANSI X3T10.1.

Wilson teaches a network that conforms to ANSI X3T10.1 (SSA).

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of Park regarding network configuration with the teachings of Wilson regarding ANSI X3T10.1 because SSA is functional alternative to IEEE 1394.

21. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,618,361 to Park in view of U.S. Patent Number 6,538,669 to Lagueux, Jr. et al..

22. As to claim 7, Park teaches the method of claim 1; however, Park does not explicitly teach a desired state specified by a user.

Lagueux teaches a desired network state specified by a user (col. 23, lines 19-39).

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of Park regarding network configuration with the teachings of Lagueux regarding a user specified desired state because user control allows for simplified control (Lagueux, col. 1, lines 57-63).

Conclusion

23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas B Blair whose telephone number is 703-305-5267. The examiner can normally be reached on 8:30am-5pm Mon-Fri.

Art Unit: 2142

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on 703-305-9705. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3800.


JACK B. HARVEY
SUPERVISORY PATENT EXAMINER

Douglas Blair
January 29, 2004

